

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

DEFENDANTS' ASSENTED-TO MOTION FOR IMPOUNDMENT

Defendants Voice Signal Technologies, Inc., Laurence S. Gillick, Robert S. Roth, Jonathan P. Yamron, and Manfred G. Grabherr move pursuant to Local Rule 7.2 and section 14 of the parties' agreed-to Protective Order for an order impounding Exhibits A, D, E, and F to the Affidavit of Robert S. Frank, which are being filed concurrently by hand.

As grounds for this motion, defendants state that ScanSoft has asserted that Exhibits D, E, and F to the Affidavit of Robert S. Frank contain highly confidential information pursuant to the parties' Protective Order. Pursuant to section 14 of the parties' Protective Order, which was entered by the Court on March 11, 2005, any documents filed with the Court that disclose highly confidential information, as defined by the Protective Order, must be filed under seal.

Exhibit A to the Affidavit of Robert S. Frank is a document that ScanSoft alleges was mistakenly filed on June 3, 2005 and allegedly contains attorney work-product information.

While Voice Signal does not believe that the exhibits referenced above contain confidential information, ScanSoft has insisted that they be filed under seal pursuant to the Protective Order.

WHEREFORE, defendants request that the Court enter an order impounding Exhibits A, D, E, and F to the Affidavit of Robert S. Frank. Defendants further request that the Court grant it leave, pursuant to Local Rule 7.2(d), to file Exhibits A, D, E and F to the Affidavit of Robert S. Frank under seal concurrently with this motion for impoundment.

Respectfully submitted,

LAURENCE S. GILICK, ROBERT S. ROTH,
JONATHAN P. YAMRON, MANFRED G.
GRABHERR and VOICE SIGNAL
TECHNOLOGIES, INC.

By their attorneys,

/s/ Paul E. Bonanno

Robert S. Frank, Jr. (BBO No. 177240)
Sarah Chapin Columbia (BBO No. 550155)
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Dated: June 22, 2005

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

I certify that counsel for defendants conferred with counsel for ScanSoft on June 22, 2005 in an effort to resolve the issues presented in this motion and that counsel for ScanSoft assented to this motion.

/s/ Paul E. Bonanno